

1 BILL NO. G-94-04-08

2 GENERAL ORDINANCE NO. G-14-94

3 AN ORDINANCE amending the Thoroughfare  
4 Plan of the City Comprehensive ("Master")  
5 Plan by vacating dedicated public rights-of-way thereof.

6 WHEREAS, a petition to vacate dedicated public rights-of-  
7 way within the City of Fort Wayne (as more specifically  
8 described below) was duly filed with the City Planning  
9 Commission; and

10 WHEREAS, said Commission duly held a public hearing  
11 thereon; and

12 WHEREAS, said Commission has duly forwarded its  
13 recommendation to this body approving said petition, and this  
14 body having held a public hearing on said vacation as provided  
15 in I.C. 36-7-3-12; and

16 WHEREAS, this body concurs in the recommendation of the  
17 City Planning Commission.

18 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
19 THE CITY OF FORT WAYNE, INDIANA:

20 SECTION 1. That the petition filed herein to vacate  
21 dedicated public rights-of-way within the City of Fort Wayne,  
22 more specifically described as follows, to-wit:

23 Right of Way Vacation for Portions of Clinton Court,  
24 Darrow Avenue and the existing alley.

25 Part of Dreibelbliss First Addition to the City of Fort Wayne  
26 as recorded in plat book 1 page 83, Lennons Addition as  
27 recorded in plat book 9 page 3 and Lennons Addition as  
28 Surveyed plat book 10 page 76, and South Calhoun Street  
29 Addition as recorded in deed record 63 page 120, more  
30 particularly described as follows:

- 31 1) Clinton Court Vacation  
32 Clinton Court (formerly Victoria Avenue) as platted 50  
feet in width, from the south right-of-way line of  
Packard Avenue (formerly Cour Street) as recorded in deed  
record 63, page 120, to the south right-of-way line of  
Darrow Avenue (formerly Johns Avenue) as recorded in plat  
book 1, page 83.
- 2) Alley Vacation  
The existing alley 12 feet in width serving Lots 1  
through 12 and Lots 23 through 34 of South Calhoun Street  
Addition from the south right-of-way line of Packard  
Avenue (formerly Cour Street) to the north right-of-way  
line of Darrow Avenue (formerly Johns Avenue) as recorded  
in deed record 63, page 120.
- 3) Darrow Avenue Vacation  
Darrow Avenue (formerly Johns Avenue) as platted 45 feet

1 in width, from the east right-of-way line of Clinton  
2 Court (formerly Victoria Avenue) to the west right-of-way  
3 line of Clinton Street (formerly Piqua Avenue) 60 feet  
4 wide, as recorded in deed record 63, page 120 and plat  
5 book 1, page 83.

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4) Darrow Avenue Vacation

Darrow Avenue as it presently exists from the west right-of-way line of Clinton Court to the east right-of-way line of Calhoun Street according to the relocation data recorded in book 10, page 96 and by Decreed Resolution Number 464, 1923.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:

  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

\*\* Public hearing to be held on \_\_\_\_\_,  
the \_\_\_\_\_ day of \_\_\_\_\_, 1994,  
in the Council Chambers.

\_\_\_\_\_  
Sandra E. Kennedy, City Clerk



Read the first time in full and on motion by Prime,  
and duly adopted, read the second time by title and referred to the  
Committee on Regulation (and the City Plan Commission  
for recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City-County Building, Fort  
Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock  
\_\_\_\_\_, M., E.S.T.

DATED: 4-12-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta,  
and duly adopted, placed on its passage. PASSED ~~LOST~~  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>5</u>			<u>4</u>
BRADBURY	<u>✓</u>			
EDMONDS				<u>✓</u>
GiaQUINTA	<u>✓</u>			
HENRY				<u>✓</u>
LONG	<u>✓</u>			
LUNSEY				<u>✓</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO				<u>✓</u>

DATED: 7-12-94

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. D-14-94  
on the 12th day of July, 1994

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

David C Long  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 13th day of July, 1994,  
at the hour of 11:00 o'clock A, M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of July,  
1994, at the hour of 11:30 o'clock A M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



# RECEIPT

No 14922

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., 3/17 1994

RECEIVED FROM Barrett & McRagney \$ 50.00

THE SUM OF fifty DOLLARS

ON ACCOUNT OF Rts of Darrow & Clinton of

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE [Signature]

# RECEIPT

No 14921

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., 3/15 1994

RECEIVED FROM Barrett & McRagney \$ 100.00

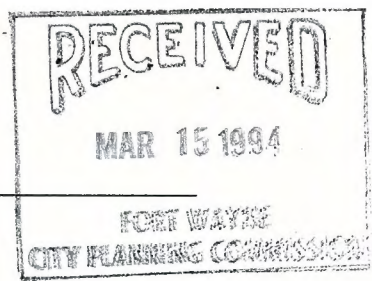
THE SUM OF One Hundred and 00/100 DOLLARS

ON ACCOUNT OF Rts of Darrow & Clinton of

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE [Signature]





I/We Fort Wayne Community Schools  
(Applicant's Name)

PETITION TO VACATE Parts of Darrow Avenue and Clinton Court and an alley  
(Street, Alley, Utility Easement, Plat, Other)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following parts of Darrow Avenue and Clinton Court and an alley with the City of Fort Wayne, Indiana, and hereby described as follows:

See attached survey; legal descriptions to follow

(Legal Description of property being vacated)

In support thereof, your petitioner would represent as follows:

(List reasons for requesting vacation.)

1. The vacation of the parts of the two streets and an alley is part of the Plan of Renovation of South Side High School.
2. Fort Wayne Community Schools are the only owners of real estate bordering both sides of the streets and alley which are the subject of this vacation petition.
3. No person, firm or corporation is interested in or affected by the requested vacation, because those who are interested have entered into agreements with Fort Wayne Community Schools.
4. The maintenance of the street and alley are not necessary or advantageous to the growth of the City of Fort Wayne and granting this petition would be in the best interests of the City and the citizens thereof.

Your petitioner files this petition pursuant to the authority granted in Indiana Code, and provisions of local ordinance, in order to complete the vacation as described.

WHEREFORE, your petitioner prays that the above described streets and alleys be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 15th DAY OF MARCH, 1994.

None

---

Adjacent Property Owner  
Typed Name

---

Address

Zip

Signature

None

---

Adjacent Property Owner  
Typed Name

---

Address
Zip

Signature





**Right-of-Way Vacation for Portions of Clinton Court,  
Darrow Avenue and the existing alley.**

Part of Dreibelbliss First Addition to the City of Fort Wayne as recorded in plat book 1 page 83, Lennons Addition as recorded in plat book 9 page 3 and Lennons Addition as Surveyed plat book 10 page 76, and South Calhoun Street Addition as recorded in deed record 63 page 120, more particularly described as follows:

**Clinton Court Vacation**

Clinton Court (formerly Victoria Avenue) as platted 50 feet in width, from the south right-of-way line of Packard Avenue (formerly Cour Street) as recorded in deed record 63, page 120, to the south right-of-way line of Darrow Avenue (formerly Johns Avenue) as recorded in plat book 1 page 83.

**Alley Vacation**

The existing alley 12 feet in width serving Lots 1 through 12 and Lots 23 through 34 of South Calhoun Street Addition from the south right-of-way line of Packard Avenue (formerly Cour Street) to the north right-of-way line of Darrow Avenue (formerly Johns Avenue) as recorded in deed record 63, page 120.

**Darrow Avenue Vacation**

Darrow Avenue (formerly Johns Avenue) as platted 45 feet in width, from the east right-of-way line of Clinton Court (formerly Victoria Avenue) to the west right-of-way line of Clinton Street (formerly Piqua Avenue) 60 feet wide, as recorded in deed record 63 page 120 and plat book 1 page 83.

**Darrow Avenue Vacation**

Darrow Avenue as it presently exists from the west right-of-way line of Clinton Court to the east right-of-way line of Calhoun street according to the relocation data recorded in plat book 10 page 96 and by Decreed Resolution Number 464, 1923.



RESOLUTION 81-88-14

WHEREAS, FORT WAYNE COMMUNITY SCHOOLS has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated rights-of-way situated in Fort Wayne, Allen County, to-wit:

Right of Way Vacation for Portions of Clinton Court,  
Darrow Avenue and the existing alley.

Part of Dreibelbliss First Addition to the City of Fort Wayne as recorded in plat book 1 page 83, Lennons Addition as recorded in plat book 9 page 3 and Lennons Addition as Surveyed plat book 10 page 76, and South Calhoun Street Addition as recorded in deed record 63 page 120, more particularly described as follows:

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Darrow Avenue (formerly Johns Avenue) as platted 45 feet in width, from the east right-of-way line of Clinton Court (formerly Victoria Avenue) to the west right-of-way line of Clinton Street (formerly Piqua Avenue) 60 feet wide, as recorded in deed record 63, page 120 and plat book 1, page 83.
- 4) Darrow Avenue Vacation  
Darrow Avenue as it presently exists from the west right-of-way line of Clinton Court to the east right-of-way line of Calhoun Street according to the relocation data recorded in book 10, page 96 and by Decreed Resolution Number 464, 1923.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-3-12; and,


WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated rights-of-way have been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated rights-of-way hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated rights-of-way hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of dedicated rights-of-way or part thereof for the vacation and operation of its utility facilities shall not be deprived of said



  
C. James Owen  
Member, Board of Public Works



Commission that the vacation of said dedicated rights-of-way hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated rights-of-way or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated rights-of-way in Allen County, Indiana.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

I, Carol Kettler Sharp, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held, April 25, 1994 and as the same appears of record in the official records of said Plan Commission.

DATED THIS 6th DAY OF June 1994

FORT WAYNE CITY PLAN COMMISSION

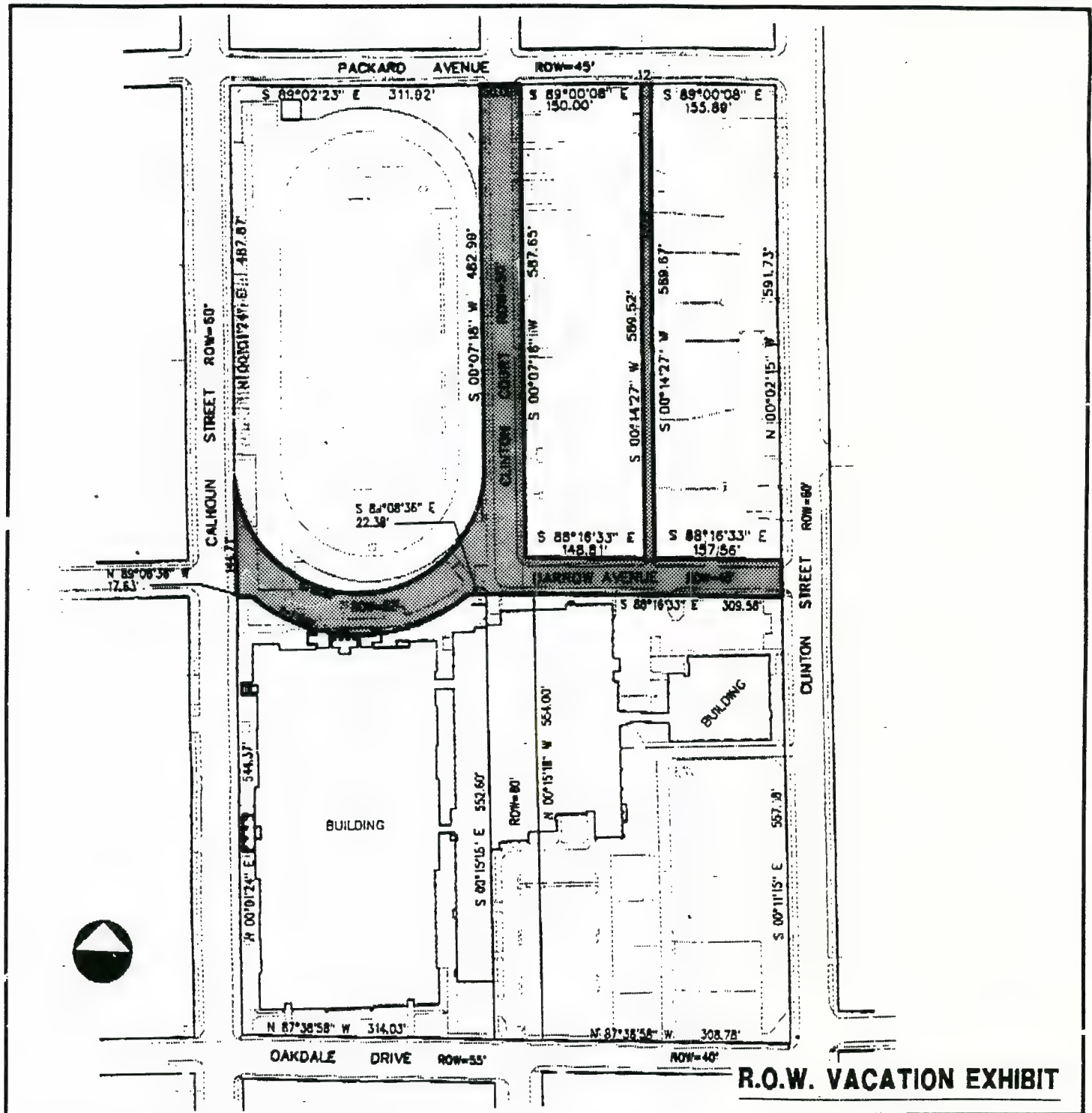
Carol Kettler Sharp  
Secretary



# VACATION PETITION

AREA MAP

CASE NO. #562



COUNCILMANIC DISTRICT NO. 1

Map No. M-7  
LW 3-24-94

<b>R1</b>	One-Family	<b>B1</b>	Limited Business	<b>M1</b>	Light Industrial
<b>R2</b>	Two-Family	<b>B2</b>	Planned Shopping Center	<b>M2</b>	General Industrial
<b>R3</b>	Multi-Family	<b>B3</b>	General Business	<b>M3</b>	Heavy Industrial
<b>RA/RB</b>	Residential	<b>B4</b>	Roadside Business	<b>MHP</b>	Mobile Home Park
<b>PUD</b>	Planned Unit Dev.	<b>POD</b>	Professional Office District		



#52  
ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Right-of-Way Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Parts of Darrow Avenue, Clinton Ct,  
and the East/West alley South of Packard Avenue, North of  
Darrow Avenue and West of Clinton Street.

*G-94-04-08*

EFFECT OF PASSAGE The properties are currently dedicated  
public rights-of-way. They will be vacated and revert to the  
use of the adjacent property owners.

EFFECT OF NON-PASSAGE Properties will remain dedicated public  
rights-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE) \_\_\_\_\_



# Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

Right-Of-Way Vacation

APPROVAL DEADLINE

REASON

## DETAILS

### Specific Location and/or Address

Portions of Clinton Ct; Darrow Av; and an N/S alley running south off of Packard St.

### Reason for Project

Renovation of South Side High School.

### Discussion (Including relationship to other Council actions)

18 April 1994 - Public Hearing

Otto Bonahoom, attorney for the petitioners, Fort Wayne Community Schools, appeared before the Commission. Mr. Bonahoom stated that this petition for the right-of-way vacations are all a part of the South Side High School Renovation. He stated that the staff recommendation indicates that the only people who need easements are GTE. He stated that they have spoken with GTE and will grant the easement as soon as they determine where it should be located. He stated that he was unaware of anyone who objects to the vacation. He stated that Fort Wayne Community Schools owns all of the adjacent property. He stated that the maintenance of the streets and alley are not advantageous or necessary to the growth of the city of Fort Wayne. He stated that the renovation, however, will be very advantageous to the city.

Dave Ross questioned if Mr. Bonahoom had received the comments from all of the engineering departments.

## POSITIONS

## RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide  Other Areas
Applicants/ Proponents	Applicant(s) Fort Wayne Community Schools City Department  Other
Opponents	Groups or Individuals  Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
Board or Commission Recommendation	By  <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

## DETAILS

Mr. Bonahoom stated that everyone has reviewed it and to his knowledge everyone has approved the vacation. He stated GTE has no problem with the vacation as long as they are granted an easement.

There was no one else who spoke in favor of or in opposition to the proposed vacation.

25 April 1994 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, contingent upon the petitioners providing utility easements or relocations as needed.

Of the six (6) members present, five (5) voted for the motion, the Chair did not vote.

Motion carried.

Members Present: Ernest Evans, James Hoch,  
Thomas Quirk, Dave Ross, Mel Smith, Vicky  
VerPlanck

Members Absent: Mark GiaQuinta, Charles Layton, Carol Ketter Sharp

### POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start

**Date** 17 March 1994

**Projected Completion or Occupancy**

**Date** 13 June 1994

**Fact Sheet Prepared by**

**Date** 13 June 1994

Patricia Biancaniello

Reviewed by

Date 10 June 1994

Reference or Case Number



BILL NO. G-94-04-08

REPORT OF THE COMMITTEE ON  
REGULATIONS  
REBECCA J. RAVINE - MARK E. GIAQUINTA - CO-CHAIR  
DONALD J. SCHMIDT  
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating dedicated  
public rights-of-way thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Mark E. Giaquinta*  
*Donald J. Schmidt*  
*Janet G. Bradbury*

DATED:

*7-12-94*

Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of July 2, 1994,  
in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-94-04-08  
Right-of-Way Vacation

Bills No. R-94-06-17 & R-94-06-18  
Economic Revitalization Area

Please send us 3 copies of the Publisher's Affidavit from both  
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 2





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

June 29, 1994

Otto Bonahoom, Attorney  
215 E Berry Street  
P O Box 2263  
Fort Wayne, IN 46801

### NOTICE OF PUBLIC HEARING ON BILL NO. G-94-04-08

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, July 12, 1994, at 5:30 P.M., in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana on the following:

Portions of Clinton Ct; Darrow Ave; and an  
N/S alley running south off of Packard -  
Renovation of South Side High School

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

FORT WAYNE COMMON COUNCIL

Sandra E. Kennedy  
City Clerk

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-94-04-08

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All interested parties are invited to appear and be heard.  
FORT WAYNE COMMON COUNCIL  
Sandra E. Kennedy  
City Clerk



Fort Wayne Common Council

(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

Allen

County, Indiana

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)

-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

54 lines, 1 columns wide equals 54 equivalent lines  
at .33 cents per line

\$ 17.82

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

\$ 17.82

TOTAL AMOUNT OF CLAIM

## DATA FOR COMPUTING COST

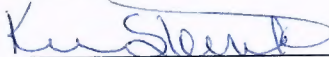
Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount  
claimed is legally due, after allowing all just credits, and that no part of the  
same has been paid.



Date: July 2, 1994

Title: Clerk

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-94-04-08

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All interested parties are invited to appear and be heard.  
FORT WAYNE COMMON COUNCIL  
Sandra E. Kennedy  
City Clerk  
#073

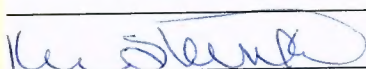
## PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Kim Steinko who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 7/2/94, the dates of publication being as follows:

Subscribed and sworn to before me this 2nd day of July, 19 94.

MARY L ADKISON  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997



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Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM \$ 17.82

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Kim Steinke

Clerk

Date: July 2, 19 94 Title:

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-94-04-08

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, July 12, 1994, at 5:30 P.M., in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:

Right of Way Vacation for Portions of Clinton Court, Darrow Avenue and the existing alley.  
Part of Dreibelbliss First Addition to the City of Fort Wayne as recorded in plat book 1 page 83, Lennons Addition as recorded in plat book 9 page 3 and Lennons Addition as Surveyed plat book 10 page 76, and South Calhoun Street Addition as recorded in deed record 63 page 120, more particularly described as follows:

1) Clinton Court Vacation  
Clinton Court (formerly Victoria Avenue) as platted 50 feet in width, from the south right-of-way line of Packard Avenue (formerly Cour Street) as recorded in deed record 63, page 120, to the south right-of-way line of Darrow Avenue (formerly Johns Avenue) as recorded in plat book 1, page 83.

2) Alley Vacation  
The existing alley 12 feet in width serving Lots 1 through 12 and Lots 23 through 34 of South Calhoun Street Addition from the south right-of-way line of Packard Avenue (formerly Cour Street) to the north right-of-way line of Darrow Avenue (formerly Johns Avenue) as recorded in deed record 63, page 120.

3) Darrow Avenue Vacation  
Darrow Avenue (formerly Johns Avenue) as platted 45 feet in width, from the east right-of-way line of Clinton Court (formerly Victoria Avenue) to the west right-of-way line of Calhoun Street (formerly Piqua Avenue) 60 feet wide, as recorded in deed record 63, page 120 and plat book 1, page 83.

4) Darrow Avenue Vacation  
Darrow Avenue as it presently exists from the west right-of-way line of Clinton Court to the east right-of-way line of Calhoun Street according to the relocation data recorded in book 10, page 96 and by Decreed Resolution Number 464, 1923.

All interested parties are invited to appear and be heard.

FORT WAYNE COMMON COUNCIL  
Sandra E. Kennedy  
City Clerk  
#073

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Kim Steinke who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows: 7/2/94

Kim Steinke

Subscribed and sworn to before me this 2nd day of July, 19 94

MARY L. ADKISON

NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY

My commission expires: MY COMMISSION EXP JUNE 14, 1997